

United States Bankruptcy Court
Southern District of Indiana

In re:
Eastern Livestock Co., LLC
Debtor

Case No. 10-93904-BHL
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0756-4

User: edixon
Form ID: pdfOrder

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Total Noticed: 7

Date Rcvd: Sep 17, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 19, 2012.

cr +Bovine Medical Associates, LLC, 1500 Soper Road, Carlisle, KY 40311-8083
adb +Eastern Livestock Co., LLC, 135 W. Market Street, New Albany, IN 47150-3561
op +Greenebaum Doll & McDonald PLLC, 3500 National City Tower, 101 South Fifth Street,
?Louisville, KY 40202-3157
ptcrd +Ike's Trucking, Inc., Ike and Cherie Jacobs, 3087 Ervin Town Rd., Castlewood, VA 24224-9686
op National Cattlemen's Beef Association, Alice Devine, Devine & Donley, LLC,
534 S KS Ave Suite 1420, Topeka, KA 66603
op +Southeastern Livestock Network LLC, 176 Pasadena Drive, Lexington, KY 40503-2900

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
atty E-mail/Text: asr@btclaw.com Sep 17 2012 23:51:40 Ashley S Rusher,
Blanco Tackaberry & Matamoros PA, PO Drawer 25008, Winston-Salem, NC 27114-5008
TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

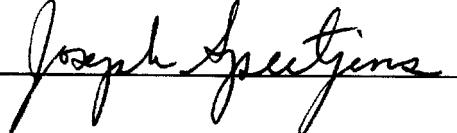
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 19, 2012

Signature:



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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 17, 2012 at the address(es) listed below:

Allen Morris on behalf of Creditor Republic Bank and Trust Company amorris@stites.com, dgoodman@stites.com
 Amelia Martin Adams on behalf of Creditor Alton Darnell dba Darnell Alton Barn aadams@dlgfirm.com
 Andrea L Wesson on behalf of Creditor Lytle Street Development andrea@wassonthornhill.com
 Andrew D Stosberg on behalf of Defendant Willie Downs astosberg@lloydmc.com
 Anthony G. Raluy on behalf of Creditor Peoples Bank & trust Co. of Pickett County traluy@fbhllaw.net
 Ben T. Caughey on behalf of Defendant E4 Cattle Company, LLC ben.caughey@icemiller.com
 Bret S. Clement on behalf of Creditor First Bank and Trust Company, The bclement@acs-law.com, sfinnerty@acs-law.com
 C. R. Bowles on behalf of Creditor Joplin Regional Stockyards cbowles@bgdlegal.com, smays@bgdlegal.com;cjenkins@bgdlegal.com
 Charles R. Wharton on behalf of U.S. Trustee U.S. Trustee Charles.R.Wharton@usdoj.gov, Charles.R.Wharton@usdoj.gov
 Christie A. Moore on behalf of Counter-Defendant Superior Livestock Auction, Inc. cm@gdm.com, ljs2@gdm.com
 Christopher M. Trapp on behalf of Cross Defendant Superior Livestock Auction, Inc. ctrapp@rubin-levin.net, carmen@rubin-levin.net
 Daniel J. Donnellon on behalf of Creditor First Bank and Trust Company, The ddonnellon@fclaw.com, knorwick@fclaw.com
 David A. Laird on behalf of Creditor Peoples Bank of Coldwater Kansas david.laird@moyewhite.com, lisa.oliver@moyewhite.com;deanne.stoneking@moyewhite.com
 David Alan Domina on behalf of Creditor Bellar Feed Lots, Inc. dad@dominalaw.com, KKW@dominalaw.com;efiling@dominalaw.com
 David L. Abt on behalf of Other Professional David Abt davidabt@mwt.net
 David L. LeBas on behalf of Counter-Defendant J&F Oklahoma Holdings, Inc. dlebas@namanhowell.com, koswald@namanhowell.com
 Deborah Caruso on behalf of Other Professional Kathryn Pry dcaruso@daleeke.com, mthomas@daleeke.com
 Dustin R. DeNeal on behalf of Intervenor James Knauer, Trustee dustin.deneal@faegrebd.com, becky.turner@faegrebd.com;sarah.herendeen@faegrebd.com
 Edward M King on behalf of Creditor Fifth Third Bank tking@fbtlaw.com, dgioffre@fbtlaw.com
 Elliott D. Levin on behalf of Petitioning Creditor Superior Livestock Auction, Inc. robin@rubin-levin.net, edl@trustesolutions.com;edl@trustesolutions.net
 Elliott D. Levin on behalf of Cross Defendant Joplin Regional Stockyards, Inc. edl@rubin-levin.net, atty_edl@trustesolutions.com
 Eric C Redman on behalf of Defendant Bankfirst Financial Services ksmith@redmanludwig.com, kzwickel@redmanludwig.com;myecfmailrl@gmail.com
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 Harmony A Mappes on behalf of Counter-Claimant James Knauer harmony.mappes@faegrebd.com, judith.gilliam@faegrebd.com;sarah.herendeen@faegrebd.com
 Ivana B. Shallcross on behalf of Creditor Joplin Regional Stockyards ishallcross@bgdlegal.com, smays@bgdlegal.com;tmills@bgdlegal.com;acoates@bgdlegal.com
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 James A. Knauer on behalf of Plaintiff James Knauer, Trustee jak@kgrlaw.com, tjf@kgrlaw.com
 James A. Knauer jak@kgrlaw.com, tjf@kgrlaw.com
 James B. Lind on behalf of Counter-Defendant Fifth Third Bank jblind@vorys.com
 James Bryan Johnston on behalf of Creditor Bynum Ranch Co. bjtxas59@hotmail.com, bryan@ebs-law.net
 James E Rossow on behalf of Counter-Defendant Superior Livestock Auction, Inc. jim@rubin-levin.net, susan@rubin-levin.net;ATTY_JER@trustesolutions.com
 James E. Smith on behalf of Cross Defendant Diamond B Ranches jsmith@smithakins.com, legalassistant@smithakins.com
 James Edwin McGhee on behalf of Creditor Vermilion Ranch Corporation mcghee@derbycitylaw.com, bellott@derbycitylaw.com;patenaude@derbycitylaw.com
 James M. Carr on behalf of Intervenor James Knauer, Trustee jim.carr@faegrebd.com, sarah.herendeen@faegrebd.com;becky.turner@faegrebd.com
 James T Young on behalf of Intervenor Michael Walro james@rubin-levin.net, lemerson@rubin-levin.net;carmen@rubin-levin.net
 Jason W. Cottrell on behalf of Creditor Rex Elmore jwc@stuartlaw.com
 Jay Jaffe on behalf of Intervenor James Knauer, Trustee jay.jaffe@faegrebd.com, sarah.herendeen@faegrebd.com
 Jay P. Kennedy on behalf of Plaintiff James A. Knauer, Trustee jpk@kgrlaw.com, tfroelich@kgrlaw.com;ads@kgrlaw.com
 Jeffrey J. Graham on behalf of Creditor Russell DeCordova d/b/a deCordova Cattle Company jgraham@taftlaw.com, ECF Clerk@taftlaw.com;dwineinger@taftlaw.com;aolave@taftlaw.com
 Jeffrey L Hunter on behalf of Joined Party United States Department of Agriculture, Grain Ins jeff.hunter@usdoj.gov, USAINS.ECFBankruptcy@usdoj.gov
 Jeffrey R. Erler on behalf of Creditor Russell DeCordova d/b/a deCordova Cattle Company jeffe@bellnunnally.com
 Jennifer Watt on behalf of Plaintiff James A. Knauer, Trustee jwatt@kgrlaw.com, pad@kgrlaw.com;ads@kgrlaw.com
 Jerald I. Ancel on behalf of Creditor Russell DeCordova d/b/a deCordova Cattle Company jancel@taftlaw.com, ecfclerk@taftlaw.com;krussell@taftlaw.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Jeremy S Rogers on behalf of Other Professional Elizabeth Lynch Jeremy.Rogers@dinslaw.com
 Jessica E. Yates on behalf of Plaintiff Fredin Brothers, Inc. jyates@swlaw.com,
 docket_den@swlaw.com;mmcpleery@swlaw.com;msadams@swlaw.com
 Jill Zengler Julian on behalf of Joined Party United States Department of Agriculture, Grain
 Ins Jill.Julian@usdoj.gov
 Joe T. Roberts on behalf of Counter-Claimant Laurel Livestock Market, INC.
 jratty@windstream.net
 John Huffaker on behalf of Creditor Friona Industries, LP john.huffaker@sprouselaw.com,
 lynn.acton@sprouselaw.com;rhonda.rogers@sprouselaw.com
 John David Hoover on behalf of Special Counsel Hoover Hull LLP jdhoover@hooverhull.com
 John Frederick Massouh on behalf of Counter-Defendant Cactus Growers, Inc.
 john.massouh@sprouselaw.com
 John Hunt Lovell on behalf of Counter-Defendant Cactus Growers, Inc. john@lovell-law.net,
 sabrina@lovell-law.net;shannon@lovell-law.net;paula@lovell-law.net
 John M. Rogers on behalf of Creditor Joplin Regional Stockyards johnr@rubin-levin.net,
 susan@rubin-levin.net
 John M. Thompson on behalf of Creditor Heritage Feeders LP john.thompson@crowedunlevy.com,
 jody.moore@crowedunlevy.com,donna.hinkle@crowedunlevy.com
 John R. Burns on behalf of Plaintiff James Knauer, Chapter 11 Trustee john.burns@faegrebd.com,
 sandy.rhoads@faegrebd.com;oliana.nansen@faegrebd.com
 John R. Carr on behalf of Creditor First Bank and Trust Company, The jrciii@acs-law.com,
 sfinnerty@acs-law.com
 John W Ames on behalf of Creditor Joplin Regional Stockyards james@bgdlegal.com,
 smays@bgdlegal.com;tmills@bgdlegal.com
 Joseph H Rogers on behalf of Defendant Nichols Livestock jrogers@millerdollarhide.com,
 cdow@millerdollarhide.com
 Joshua Elliott Clubb on behalf of Other Professional Kentucky Cattlemen's Association
 joshclubb@gmail.com
 Joshua N. Stine on behalf of Counter-Defendant Fifth Third Bank kabritt@vorys.com
 Judy Hamilton Morse on behalf of Creditor Heritage Feeders LP judy.morse@crowedunlevy.com,
 ecf@crowedunlevy.com;donna.hinkle@crowedunlevy.com;karol.brown@crowedunlevy.com
 Karen L. Lobring on behalf of Creditor Deere & Company lobring@msn.com
 Kayla D. Britton on behalf of Plaintiff James Knauer, Trustee kayla.britton@faegrebd.com,
 becky.turner@faegrebd.com;sarah.herendeen@faegrebd.com
 Kelly Greene McConnell on behalf of Creditor Supreme Cattle Feeders, L.L.C.
 lisahughes@givenspurley.com
 Kent A Britt on behalf of Counter-Defendant Fifth Third Bank kabritt@vorys.com,
 cbkappes@vorys.com;dfhine@vorys.com;tbfirney@vorys.com
 Kevin M. Toner on behalf of Counter-Claimant James Knauer kevin.toner@faegrebd.com,
 judy.ferber@faegrebd.com;crystal.hansen@faegrebd.com
 Kim Martin Lewis on behalf of Other Professional Elizabeth Lynch kim.lewis@dinslaw.com,
 lisa.geeding@dinslaw.com;patrick.burns@dinslaw.com
 Kirk Crutcher on behalf of Counter-Defendant Gene Shipman kcrutcher@mcs-law.com,
 jparsons@mcs-law.com
 Laura Day DelCotto on behalf of Counter-Defendant Bluegrass Stockyards of Richmond, LLC
 ldelcotto@dlgfirm.com, dlgecf@dlgfirm.com;dlgecfs@gmail.com
 Lisa Koch Bryant on behalf of Creditor Peoples Bank & trust Co. of Pickett County
 courtmail@fbhaw.net
 Mark A. Robinson on behalf of Creditor Cactus Growers, Inc. mrobinson@vhrlaw.com,
 dalbers@vhrlaw.com
 Matthew J. Ochs on behalf of Creditor Peoples Bank of Coldwater Kansas kim.maynes@moyewhite.com
 Melissa S. Giberson on behalf of Counter-Defendant Fifth Third Bank msgiberson@vorys.com
 Meredith R. Thomas on behalf of Other Professional Kathryn Pry mthomas@daleeke.com
 Michael W. McClain on behalf of Creditor Grant Gibson mike@kentuckytrial.com,
 laura@kentuckytrial.com
 Michael Wayne Oyler on behalf of Creditor Your Community Bank moyler@rwsvlaw.com
 Peter M Gannott on behalf of Counter-Claimant Laurel Livestock Market, INC.
 pgannott@gannottlaw.com,
 mkeane@gannottlaw.com;jemerson@gannottlaw.com;paralegal@gannottlaw.com;gannottlaw@gmail.com
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 Robert A. Bell on behalf of Counter-Defendant Fifth Third Bank rabell@vorys.com,
 dmchilelli@vorys.com
 Robert H. Foree on behalf of Creditor Kentucky Cattlemen's Association
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 Robert K Stanley on behalf of Defendant Eastern Livestock Co., LLC robert.stanley@FaegreBD.com
 Ross A. Plourde on behalf of Creditor Crumpler Bros. ross.plourde@mcafeetaft.com,
 afton.shaw@mcafeetaft.com
 Sandra D. Freeburger on behalf of Creditor Estate of John S. Gibson, Anna Gayle Gibson, Execu
 sfreeburger@dsf-atty.com, smattingly@dsf-atty.com
 Sean T. White on behalf of Trustee James Knauer swhite@hooverhull.com, vwilliams@hooverhull.com
 Shawna M Eikenberry on behalf of Counter-Claimant James Knauer shawna.eikenberry@faegrebd.com,
 sarah.herendeen@faegrebd.com
 Shiv Ghuman O'Neill on behalf of Plaintiff James Knauer, Trustee shiv.oneill@faegrebd.com,
 amanda.castor@faegrebd.com
 Stephen A. Weigand on behalf of Creditor First Bank and Trust Company, The sweigand@fclaw.com
 Steven A. Brehm on behalf of Cross Defendant Hohenberger Cattle sbrehm@bgdlegal.com,
 bbaumgardner@bgdlegal.com;smays@bgdlegal.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

T. Kent Barber on behalf of Creditor Blue Grass Maysville Stockyards, LLC kbarber@dlgfirm.com, dlgecf@dlgfirm.com;dlgecfs@gmail.com
Terry E. Hall on behalf of Intervenor James Knauer, Trustee terry.hall@faegrebd.com, sharon.korn@faegrebd.com; sarah.herendeen@faegrebd.com
Theodore A Konstantinopoulos on behalf of Creditor General Electric Capital Corporation ndohbky@jbandr.com
Thomas C Scherer on behalf of Creditor Cullman Stockyard, Inc. tscherer@bgdlegal.com, mmcclain@bgdlegal.com
Timothy T. Pridmore on behalf of Counter-Claimant Gabriel Moreno tpridmore@mcjllp.com, lskibell@mcjllp.com
Todd J. Johnston on behalf of Counter-Claimant Gabriel Moreno tjohnston@mcjllp.com
Trevor L. Earl on behalf of Creditor Your Community Bank tearl@rwsvlaw.com
U.S. Trustee ustpregion10.in.ecf@usdoj.gov
Walter Scott Newbern on behalf of Creditor Alabama Livestock Auction, Inc. wsnewbern@msn.com
Wendy W Ponader on behalf of Plaintiff James Knauer, Trustee wendy.ponader@faegrebd.com, sarah.herendeen@faegrebd.com
William E Smith on behalf of Creditor Coffeyville Livestock Market, LLC wsmith@k-glaw.com, pballard@k-glaw.com
William Robert Meyer on behalf of Creditor Republic Bank and Trust Company rmeyer@stites.com
TOTAL: 100



A handwritten signature in black ink that reads "Basil H. Lorch III".

Basil H. Lorch III
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)
)
EASTERN LIVESTOCK CO., LLC) Case No. 10-93904-BHL-11
)
Debtor.)

**ORDER ON TRUSTEE'S MOTION TO ESTABLISH MEDIATION PROTOCOL ON
THE PROPOSED PLAN AND DISCLOSURE STATEMENT**

This matter is before the Court on the motion (the "Motion") of James A. Knauer, as chapter 11 trustee (the "Trustee") for Eastern Livestock Co., LLC (the "Debtor"), requesting that the Court establish a protocol for the parties to engage in non-binding mediation ("Mediation") of the issue of the reasonableness of the proposed settlement with Fifth Third Bank as contained in the Plan¹ (the "Mediation Issue"). The Trustee represents that he circulated the proposed Motion with the parties involved prior to filing. The Court having considered the Motion, heard

¹ The Trustee filed his Chapter 11 Plan of Liquidation ("Plan") and his Disclosure Statement with Regard to the Trustee's Chapter 11 Plan of Liquidation ("Disclosure Statement") on July 23, 2012 [Docket Nos. 1255 and 1256].

arguments from parties at a September 7, 2012 hearing, finding good cause exists to grant the Motion as modified by this Order, and being otherwise advised of the proceedings in this case now ORDERS:

1. The Trustee and certain parties agree to negotiate in good faith as to differences related to the Disclosure Statement and the proposed Plan, and the Court encourages the following parties to engage in non-binding mediation: the Trustee, Fifth Third Bank, Superior Livestock Auction, Inc., Bluegrass Stockyards East, LLC, Bluegrass Stockyards, LLC, Bluegrass-Maysville Stockyards, LLC, Bluegrass Stockyards of Richmond, LLC, Blue South Livestock Market, LLC, Bluegrass Stockyards of Campbellsville, LLC, East Tennessee Livestock Center, Inc., Southeast Livestock Exchange, LLC, Moseley Cattle Auction, LLC, Piedmont Livestock Company, Inc., Alton Darnell, The First Bank And Trust, CPC Livestock, LLC, Alabama Livestock Auction, Inc., Sealy And Sons Livestock, LLP, Athens Stockyard, LLC, Billingsley Auction Sale, Inc., Tennessee Valley Livestock, LLC, Robert Rawls d/b/a Robert Rawls Livestock, Edwin A. Strickland, Macon Stockyard, Inc., E4 Cattle Co., LLC, and Edward J. Edens, IV (collectively, the "Mediation Parties"). The Mediation Parties shall participate in person by counsel and with a client representative with authority to bind the client to any agreement reached.

2. In addition to the Mediation Parties, the following non-parties are encouraged to participate in the Mediation due to their particular interests in this industry: local, state, regional, and national cattlemen's trade associations ("Non-party Associations"). Participation by the Non-party Associations shall not confer standing nor party-in-interest status on the Non-party Associations, but is consistent with this Court's usual practice to allow concerned non-parties citizens to be heard where appropriate. Other parties in interest or creditors who wish to

participate in the Mediation as a Mediation Party should contact the Trustee. The Mediation Parties and the Non-party Associations who agree to participate may be referred to as the "Participants."

3. The Participants in the Mediation shall be bound by the local rules of this Court governing mediation, *see* Local Rule B-9019-2, including the confidentiality of both the process and the information except as expressly modified by this Order.

4. The Participants may agree on a mediator who meets the eligibility requirements under the Local Rule. The Participants have notified the Court that they have agreed to Robert M. Fishman of Shaw Gussis Fishman Glantz Wolfson & Towbin, LLC.

5. The Mediation shall be completed in two days and not less than 5 business days prior to the rescheduled hearing set for October 19, 2012.

6. The reasonable fees and expenses of the mediator will be paid by the estate as administrative expenses. The Trustee shall file a motion to employ Mr. Fishman pursuant to the Local Rules. As it is expected that the mediator may be employed more than fifteen hours, the Trustee shall include in the motion an estimate of the expected fees and costs of the mediator for the Court's consideration. Each of the Participants shall be responsible for its own fees and costs. For clarity, the fees and costs incurred by the Trustee and his counsel shall be eligible for payment from the estate as part of their fee applications to the Court.

7. Consistent with any directions by the mediator to the Participants, the Participants may draft and deliver to the mediator and exchange among themselves, mediation statements ("Mediation Statements") outlining the issues and concerns with the Disclosure Statement and/or Plan including the factual basis and legal reasoning supporting the position of the Participant. The Mediation Statements are subject to the confidentiality restrictions in the Local Rules and

are confidential to the Mediation and shall not be filed with the Court nor exchanged or provided to any non-Participant. Any Participant that so wishes may deliver a second mediation statement ("Non-Exchanged Mediation Statement") to the mediator that is not to be shared by the mediator with the other Participants unless the authoring Participant consents. Such Non-Exchanged Mediation Statements may only be submitted to the mediator if the Participant has in fact produced a Mediation Statement that was exchanged with the other Participants.

8. The Court shall retain jurisdiction to resolve any procedural disputes among the Participants that are not able to be resolved by the mediator.

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